

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
GREENVILLE DIVISION

The plaintiff, Helene Maria Riley, proceeding pro se, commenced this action on February 27, 2014, alleging violation of her civil rights. In accordance with 28 U.S.C. § 636(b)(1) and Local Civil Rule 73.02, D.S.C., this matter was referred to a magistrate judge for pretrial handling. Before the court is the magistrate judge’s Report and Recommendation (“Report”), recommending that the court deny the plaintiff’s motion to proceed *in forma pauperis*, give the plaintiff an opportunity to pay the full filing fee, and dismiss the matter without prejudice if the plaintiff does not pay the filing fee. The Report also advised the plaintiff of her right to file objections. The plaintiff has not objected to the Report, but shortly after the court mailed her the Report, she paid the filing fee. However, this court still must decide the motion before it.

The Report has no presumptive weight and the responsibility to make a final determination in this matter remains with this court. *See Mathews v. Weber*, 423 U.S. 261, 270-71 (1976). In the absence of objections, this court is not required to provide an explanation for adopting the Report. *See Camby v. Davis*, 718 F.2d 198, 199 (4th Cir. 1983). Rather, “in the absence of a timely filed objection, a district court need not conduct a de novo review, but instead must only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation.” *Diamond v. Colonial Life & Acc. Ins. Co.*, 416 F.3d 310, 315 (4th Cir. 2005) (quoting Fed. R. Civ. P. 72 advisory committee’s note).

After a thorough review of the Report and the record in this case, the court adopts the

Report (ECF No. 9) and incorporates it herein. Therefore, the plaintiff's Motion for Leave to Proceed *in forma pauperis* (ECF No. 5) is **DENIED**.

IT IS SO ORDERED.

s/Timothy M. Cain
United States District Judge

Anderson, South Carolina
March 27, 2014

NOTICE OF RIGHT TO APPEAL

The parties are hereby notified of the right to appeal this order pursuant to Rules 3 and 4 of the Federal Rules of Appellate Procedure.